

03-28-06

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PATENT
Attorney Docket No. F-5482 DIV 2 (0360-0159.02)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
)
Mark R. Vandlik et al.)
)
Serial No.: 10/828,440)
)
Filed: April 20, 2004)
)
Group Art No.: 3762)
)
Examiner: Unknown)
)
For: BLOOD PROCESSING SYSTEMS)
)
WITH FLUID FLOW CASSETTE)
)
WITH A PRESSURE ACTUATED)
)
PUMP CHAMBER AND IN-LINE)
)
AIR TRAP)

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label No.: EV829825465US

Date of Deposit: March 27, 2006

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office Box Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

NAME Diane G. Kapil

SIGNATURE *Diane G. Kapil*

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION AND RENEWED PETITION TO ACCORD A
FILING DATE TO A PATENT APPLICATION UNDER 37 C.F.R. 1.10(d)

Sir:

Applicants hereby renew their petition and request reconsideration that this patent application be accorded a filing date of April 20, 2004. As set forth below, Applicants believe this application was mailed to the United States Patent

and Trademark Office on April 20, 2004, and the date of April 17, 2004 was incorrectly entered by the U.S. Postal Service on the Express Mail label.

It is respectfully submitted that the application was actually filed on Tuesday, April 20, 2004, and that the Express Mail Label number EV318693209US, was incorrectly marked with a "date in" of April 17, 2004 when it was deposited at the Post Office. A copy of the Express Mail Label EV318693209US is enclosed herein as Exhibit A.

Applicants are promptly filing this renewed petition with additional corroborating evidence that the application was deposited in Express Mail service prior to the last scheduled pickup on April 20, 2004.

This corroborating evidence is contained in the following documents which are enclosed herein:

1. United States Postal Service Track & Confirm information which indicates that the USPS accepted a package, bearing Express Mail Label number EV318693209US on April 20, 2004. The Track and Confirm information is enclosed herein as Exhibit B.
2. A letter sent to the client after the mailing of the application confirming the mailing of the application on April 20, 2004. This letter is enclosed herein as Exhibit C.

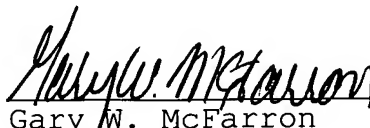
Additional exhibits which corroborate Applicant's belief that the application was filed on April 20, 2004 were previously submitted in the original petition filed on January 17, 2006, and therefore, are not being resubmitted with this Request for Reconsideration. These additional exhibits include: the new application transmittal and certificate of service, check No. 14580 for the filing fee of \$770.00, the return receipt postcard, and a copy of the updated filing receipt with what is believed to be the correct filing date of April 20, 2004. However, should the Examiner require copies of these exhibits, Applicants will provide them upon request.

It is believed that no fee is required for this petition under 37 C.F.R. 1.10(d). However, if a petition fee is required, please charge our deposit account number 50-1039. Accordingly, please correct the Filing Receipt to reflect the correct filing date of April 20, 2004.

Respectfully submitted,

Date:

May 27, 2006



Gary W. McFarron

Registration No. 27,357

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Attorneys for Applicant



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NAME Diane G. Kapil

SIGNATURE Diane G. Kapil

Certificate of Mailing Under 37 CFR 1.10

I hereby certify that the correspondence listed below is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, **Label No. EV829825465US** under 37 CFR 1.10 on March 27, 2006 and is addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

1. Certificate of Mailing.
2. Request for Reconsideration and Renewed Petition to Accord a Filing Date to a Patent Application Under 37 C.F.R. 1.10(d).
3. Return Receipt Postcard.

Name: Diane G Kapil

Signature: Diane G. Kapil
EV829825465US



EV 318693209 US



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Date In Mo. Day Year 4 17 04	<input checked="" type="checkbox"/> PM <input type="checkbox"/> AM	Postage \$ 17.85		Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM		
Time In 1727	<input type="checkbox"/> 1st Day <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee		Delivery Attempt	Time	Employee Signature	
Weight 1 lb. 16 oz.	Int'l Alpha Country Code	COD Fee	Insurance Fee	Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM		
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Check Initials JK	Total Postage & Fees \$ 17.85		Delivery Date	Time	Employee Signature	
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METHOD OF PAYMENT Express Mail Corporate Acct. No. X531741				Fedex Agency Acct. No. or Postal Service Acct. No.			
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Search Results

Label/Receipt Number: EV31 8693 209U S

Detailed Results:

- Delivered, April 21, 2004, 9:32 am, ALEXANDRIA, VA 22313
- Arrival at Unit, April 21, 2004, 7:55 am, DULLES, VA 20102
- Enroute, April 20, 2004, 7:32 pm, MILWAUKEE, WI 53203
- Acceptance, April 20, 2004, 5:26 pm, BROOKFIELD, WI 53045

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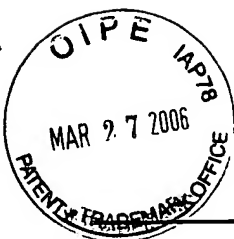
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Exhibit B



RYAN KROMHOLZ & MANION, S.C.

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22 April 2004

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Fenwal Division RLP-30
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Round Lake, IL 60073

Re: F-5482 DIV 2

Dear Brad:

Enclosed for your file is a copy of the above divisional patent application, which was forwarded to the Patent Office for filing on 20 April 2004.

Cordially,
RYAN KROMHOLZ & MANION, S.C.

By:
Daniel D. Ryan

DDR:jd
Enclosure

Exhibit C